



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Jennifer A. Maguire

**SUBJECT: AMENDMENTS TO 2013-2014  
PROPOSED FEES AND CHARGES  
DOCUMENT**

**DATE:** May 28, 2013

Approved

Date

5/28/13

## RECOMMENDATION

Approve amendments to the 2013-2014 Proposed Fees and Charges Report as follows:

### Police

- a) Revise the Police Department's Private Property Tow Fee from "\$211 per application per 2 years" to "\$211 per application", and add a note stating "Costs for Private Property Tow Permit reflect initial inspection; re-inspections and compliance inspections, if needed, will be billed at top salary step plus fringe and related overhead";
- b) Revise the Police Department's Peddler Employee License Fee from "\$106 per annual renewal" to "\$106 per 2 year renewal";
- c) Revise the Police Department's Peddler Issue ID Card Fee from "\$34 per year" to "\$34 per 2 year renewal";

### Public Works

- d) Revise the Public Works Department's Large Animals Event Permit Fee to include a note stating "plus applicable application fee";

### Transportation

- e) Reduce the Transportation Department's Taxi Stand Rental Fee from \$57.75 to \$42.50 per space per month, and decrease the associated 2013-2014 Estimated Cost and 2013-2014 Estimated Revenue from Taxi Stand Rental Fees in the amount of \$7,700;
- f) Increase the 2013-2014 Estimated Cost and 2013-2014 Estimated Revenue from Miscellaneous Fees and Charges in the amount of \$7,700;
- g) Revise the fee for Miscellaneous Reports to delete the note stating "subpoenaed info. upon request," specify that the \$0.25 per page charge refers to pages sizes of 8.5"x11", and add a new fee charging \$0.26 per page for copies of page sizes of 11"x17"; and
- h) Increase the 2013-2014 Estimated Cost and 2013-2014 Estimated Revenue from the Sidewalk Repair Program in the amount of \$140,000 and change the 2013-2014 Cost Recovery percentage to 50.9%.

## **BACKGROUND**

Subsequent to the release of the 2013-2014 Proposed Fees and Charges and Charges Report, the Administration recommends amendments to correct for minor errors and oversights during initial preparation.

## **ANALYSIS**

### **Police**

The Police Department issues permits to private property owners to allow the towing of vehicles from their property as mandated by the San José Municipal Code Section 6.66.270. Since 2000, the Department's Private Property Tow (PPT) permit has been issued with no expiration date; however, the Schedule of Fees and Charges (p. 127 of the 2013-2014 Proposed Fees and Charges Report) requires permit fees every two years. The Municipal Code does not contain a permit term. With over 3,600 private properties that have been issued a PPT permit, and the continued receipt of new applications, revising the Schedule of Fees and Charges to eliminate the two-year reference continues the current practice of issuing a PPT permit without an expiration date; thereby allowing the workflow for PPT permits to continue to be managed by one staff member.

The Municipal Code also requires a physical inspection of the private property and that the property owner maintains proper signage prior to the removal of any vehicle from private property. Therefore, once a PPT permit is issued, inspections may be necessary to ensure ongoing compliance with the Code or if the owner contracts with a new tow company. The notation recommended for addition to the Schedule of Fees and Charges provides clarity that the property owner will be billed for all necessary inspections.

The Peddler Fees administered by the Police Department were approved to be revised from annual permits to two-year permits by the City Council on May 14, 2013; however, two of the fees listed in the 2013-2014 Proposed Fees and Charges Report (p. 124), the Employee License Fee and the Issue ID Card Fee, were inadvertently not updated to the two year cycle. The recommended modification to the Schedule of Fees and Charges corrects this error and aligns with previous City Council direction.

### **Public Works**

All existing Category I fees within Animal Care and Services are recommended for adjustment in 2013-2014 based on a recently completed cost analysis. When modifying the recommended Large Animals Event permit fee for 2013-2014, a note indicating that an application would be required in addition to the permit fee was inadvertently omitted (p. 134 of the 2013-2014 Proposed Fees and Charges Report). The recommendation included in this memorandum corrects that omission.

### **Transportation**

The Department of Transportation maintains over 40 on-street parking spaces designated for taxi cab pickup and waiting (i.e. taxi stands). The cost to maintain these spaces is estimated to decrease from \$57.75 to \$42.50 per space per month in 2013-2014, due to the elimination of one-

May 28, 2013

**Subject: Amendments to the 2013-2014 Proposed Fees and Charges Document**

Page 3

time costs associated with creating additional spaces reflected in the 2012-2013 fee, and the fact that the remaining costs are spread among a greater amount of taxi stands. Reducing this fee (shown on p. 189 of the 2013-2014 Proposed Fees and Charges Report) to \$42.50 per space per month would result in a minor revenue decrease of \$7,700 in 2013-2014. This slight decrease can be offset by an increase of \$7,700 to the 2013-2014 Estimated Cost and 2013-2014 Estimated Revenue for Miscellaneous Fees and Charges based on an analysis of current collection trends in this category.

Upon reviewing the Schedule of Fees and Charges resolution, staff noticed minor discrepancies between the resolution and the 2013-2014 Proposed Fees and Charges document. Unlike the resolution, the report does not differentiate between the cost of copies for paper sized 8.5"x11" or 11"x17". Further, the existing fee contains a note stating that copies are only provided for subpoenaed information, even though copies are provided as the course of normal City business. The above recommendation differentiates the copy fee between paper sizes and deletes the note related to subpoenaed information.

The Department of Transportation also manages the Sidewalk Repair Program, whereby the City performs repairs on sidewalk adjacent to private property owners. The property owner pays for all repair costs as well as a fee to partially offset costs related to City inspection and program administration. The total estimated Sidewalk Repair Program cost and revenue in the 2013-2014 Proposed Fees and Charges document (p. 190) omitted \$140,000 in estimated cost and revenue related to increased sidewalk repair activity assumed in the development of the 2013-2014 Proposed Operating Budget. The above recommendation corrects this error.

### **COORDINATION**

This memorandum has been coordinated with the City Attorney's Office and the Police, Public Works and Transportation Departments.



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Budget Director

For questions regarding this memorandum, please contact Jim Shannon, Assistant to the City Manager, at (408) 535-4852.